

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

NATIVIDAD MARTINEZ HERNANDEZ,  
Plaintiff,

v.

WARWICK PROPERTIES INC.; MJJ  
BUILDERS CORP.; HEADER  
CONSTRUCTION, INC.; DEERFIELD  
COMMONS LIMITED PARTNERSHIP;  
ACCESS:SUPPORTS FOR LIVING, INC.;  
DEERFIELD COMMONS HOUSING  
DEVELOPMENT FUND COMPANY, INC.;  
and BUILDERS FIRSTSOURCE, INC.,  
Defendants.

**ORDER**

20 CV 1573 (VB)

On April 19, 2023, the Court issued an Order holding non-party Paulo Vidal in civil contempt and ordering that Mr. Vidal would be subject to a monetary sanction of \$100.00 per day, payable to the Court, if he failed to comply with the Court's Order dated November 10, 2022 (Doc. #239) and the July 6, 2022, subpoena (Doc. #238-2 (the "Subpoena")) by May 19, 2023. (Doc. #254).

On April 28, 2023, plaintiff docketed an affidavit of service indicating the Court's April 19 Order was personally served on Mr. Vidal on April 25, 2023. (Doc. #255).

On May 19, 2023, plaintiff's counsel filed a letter indicating Mr. Vidal has not contacted plaintiff's counsel's office. (Doc. #257). The Court fairly construes plaintiff's counsel's letter to inform the Court that Mr. Vidal has failed to purge his civil contempt by the May 19, 2023, deadline.

**Beginning today, Mr. Vidal will be fined \$100.00 for each day that he does not comply with the Court's November 10 Order and the Subpoena, and these daily fines will continue to accrue until he purges his contempt.** Paulo Vidal shall deposit these monies with the Clerk of the United States District Court for the Southern District of New York, located at 300 Quarropas Street, White Plains, New York, 10601.

**By June 23, 2023, if Paulo Vidal still fails to comply with the Court's November 10 Order and the Subpoena, or if he fails to pay the financial sanction, plaintiff shall advise the Court by letter, at which time the Court will likely order Mr. Vidal's arrest and confinement in order to compel his compliance.**

By May 26, 2023, plaintiff shall serve a copy of this Order on Paulo Vidal and file proof of service on the ECF docket.

Dated: May 22, 2023  
White Plains, NY

SO ORDERED:

A handwritten signature in black ink, appearing to read "Vincent Briccetti", written over a horizontal line.

Vincent L. Briccetti  
United States District Judge